

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

SONNY M. DAVIS,

Plaintiff,

v.

CAUSE NO.: 3:17-CV-004-JD-MGG

GREG SHEWARD, DR. LIAW, MARK
SEVIER, and JASON ENGLISH,

Defendants.

OPINION AND ORDER

Sonny Davis, a prisoner without a lawyer, filed a declaration asking to be exempted from making filing fee payments pursuant to Indiana law. However, this is a federal lawsuit. Pursuant to 28 U.S.C. § 1915(b)(1), “if a prisoner brings a civil action . . . the prisoner shall be required to pay the full amount of a filing fee . . .” Davis was a prisoner when he filed this civil action and he must pay the filing fee. “A prisoner who files one suit remits 20 percent of income to his prison trust account; a suit and an appeal then must commit 40 percent, and so on.” *Newlin v. Helman*, 123 F.3d 429, 436 (7th Cir. 1997) overruled on other grounds by *Lee v. Clinton*, 209 F.3d 1025 (7th Cir. 2000) and *Walker v. O’Brien*, 216 F.3d 626 (7th Cir. 2000).

For these reasons, the request (ECF 73) to modify the filing fee order is DENIED.

SO ORDERED on August 28, 2018

/s/ JON E. DEGUILO
JUDGE
UNITED STATES DISTRICT COURT